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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,014	03/28/2001	Jung-Wan Ko	1293.1188	9741

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EXAMINER

CHEVALIER, ROBERT

ART UNIT PAPER NUMBER

2621

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,014

Applicant(s)

KO ET AL.

Examiner

Bob Chevalier

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-35 and 44-49 is/are allowed.
- 6) ☒ Claim(s) 9-17, 19-25 and 36-42 is/are rejected.
- 7) ☒ Claim(s) 18 and 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments with respect to claims 9-17, 19-25, and 36-42, have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 9-17, 19-25, 36-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al in view of Official Notice.

Maruyama et al discloses an information recording/reproducing apparatus that shows substantially the same limitations recited in claims 9, and 36, including the feature of the video region which stores moving picture data and audio data (See the video object having video data and audio data shown in Maruyama et al's Figure 11, and further, see Maruyama et al's Figure 19, components 53-54, and 56, where it is shown that the video and the audio data are encoded before recorded), and the feature of the predetermined region which

stores reproducing management information for reproducing the moving picture data and/or audio data as specified in the present claims 9, and 36. (See Maruyama et al's Figure 3, control information DA21).

Maruyama et al fails to specifically disclose the feature of encrypting both the video data and the audio data and recording/reproducing the same on and from the recording medium as specified in the present claims 9, 16, and 36.

Examiner takes Official Notice in that it is notoriously well known in the video/audio recording/reproducing art to have encryptors arranged in a manner to encrypt both the video data and the audio data before recording the same on the recording medium and the capability of reproducing the encrypted video/audio data from the recording medium at reproduction operation as specified in the present claims 9, 16, and 36.

It would have been obvious to one skilled in the art to modify the Maruyama et al's apparatus wherein the recording/reproducing means provided thereof would incorporate the capability of encryptors arranged in a manner to encrypt both the video data and the audio data before recording the same on the recording medium and the capability of reproducing both the encrypted video data and the encrypted audio data from the recording medium in the same conventional manner as is well known in the prior art. Examiner has taken Official Notice. The motivation is to prevent unauthorized reproduction of the recorded data from the recording medium as suggested in the prior art.

With regard to claims 10-11, 19-20, and 37-38, the feature of encrypting the audio data with method complying with a DVD-video/audio specification as specified thereof is present in the proposed combination of Maruyama et al, and Official Notice indicated above. (See Maruyama et al's Figure 19, components 53-54, and 56).

With regard to claims 12, 21, 39, the feature of the management information being stored in the video region as specified thereof is present in the proposed combination of Maruyama et al and Official Notice indicated above. (See Maruyama et al's Figure 3, component DA21).

With regard to claims 13-15, 22-25, 40-42, the feature of management information and additional information being stored in the program chain information region of the video/audio region or in the audio title set information of the audio region as specified thereof is present in the proposed combination of Maruyama et

al and Official Notice indicated above. (See Maruyama et al's Figure 25, components 1011, 1024, 1103, and 1108).

With regard to claim 17, the feature of encoding the video/audio information before encrypting the same as specified thereof would be present in the proposed combination of Maruyama et al. (See the capability encoding the video/audio data as specified in Maruyama et al's apparatus).

5. Claims 18, 43, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 26-35, 44-49 contain allowable subject matter over the prior art of record.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier
April 5, 2006.


ROBERT CHEVALIER
PRIMARY EXAMINER